

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

RICHARD MITCHELL, )  
                        )  
                        )  
Plaintiff,           )  
                        )  
v.                     )              **Case No: 4:23-cv-00138-GAF**  
                        )  
THE DIEZ GROUP, LLC )  
d/b/a DIEZ GROUP,   )  
and                    )  
THE DIEZ GROUP KANSAS CITY LLC )  
d/b/a DELACO STEEL KANSAS CITY, )  
                        )  
Defendants.         )

**JOINT POST-MEDIATION STATUS REPORT**

Plaintiff Richard Mitchell and Defendants The Diez Group, LLC and The Diez Group Kansas City, LLC, by and through their respective counsel of record, submit the following status report in accordance with the Notice of Inclusion and MAP General Order:

1. On September 14, 2023, the Parties participated in a private mediation via Zoom with mediator Nancy Kenner. The mediation lasted from 9:30 a.m. until approximately 11:30 a.m.
2. All required Parties were in attendance. In attendance for Plaintiff were Plaintiff Richard Mitchell and his counsel, M. Katherine Paulus. In attendance for Defendants were Mark Roseman, Senior Director of Human Resources, and Defendants' counsel, Robert J. Finkel and Matthew J. Westering
3. The Parties did not reach a resolution. At this point, the Parties believe that they should move forward with discovery and will consider whether further settlement discussions would be worthwhile as discovery progresses.

Respectfully submitted,

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**Attorneys for Defendants**

#### **CERTIFICATE OF SERVICE**

I hereby certify that on September 22, 2023, the foregoing was served via the Court's CM/ECF system, which sent electronic notice of the filing to all counsel of record.

/s/ Matthew J. Westering  
**Attorney for Defendants**